

**IN THE
UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	Criminal No. 1:21-CR-00049
	:	
v.	:	(Judge Wilson)
	:	
ANDREW MICHAEL ROGERS	:	(Electronically Filed)

**UNOPPOSED MOTION FOR RELIEF UNDER 18 U.S.C. § 3582(c)(2)
BASED ON AMENDMENT 821 TO THE GUIDELINES MANUAL**

Defendant, Andrew Michael Rogers, by his attorney, Ronald A. Krauss, Senior Counsel of the Federal Public Defender's Office, files this unopposed motion for relief based on Amendment 821 to the Guidelines Manual:

1. Amendment 821 to the United States Sentencing Guidelines Manual, effective November 1, 2023, alters the application of the Guidelines with respect to certain offenders who: (a) earned criminal history points based on commission of an offense while serving a criminal justice act sentence; or (b) had zero criminal history points at sentencing.

2. The Sentencing Commission voted to give retroactive effect to these two changes, added Amendment 821 to U.S.S.G. § 1B1.10, and included a limitation that the effective date of any reduced term of imprisonment must be February 1, 2024, or later.

3. Representatives of the United States Probation Office, the United States Attorney's Office and the Federal Public Defender's Office conferred

regarding the above-captioned case and concluded that the defendant is eligible for a sentence reduction based on Amendment 821.

4. The exact calculation of the sentencing guidelines under Amendment 821 will be outlined in an Addendum prepared by the United States Probation Office and will be available to the Court shortly after the filing of this motion.

5. An Order Regarding Motion for Sentence Reduction Pursuant to Section 3582(c)(2) (AO 247) will also be available for the Court's consideration.

6. If, however, this Court is inclined to reject the agreement of the parties, the defendant requests the opportunity to file a memorandum and supplemental documentation in support of a reduction in his sentence.

WHEREFORE, for the foregoing reasons, undersigned counsel respectfully requests that this Court grant this Unopposed Motion for Relief under 18 U.S.C. § 3582(c)(2) based on Amendment 821 to the Guidelines Manual.

Respectfully submitted,

Date: September 18, 2024

/s/ *Ronald A. Krauss*

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CERTIFICATE OF SERVICE

I, Ronald A. Krauss, Esquire, of the Federal Public Defender's Office, do hereby certify that on the date below I caused to be served a copy of the foregoing filing, via electronic case filing, or U.S. First Class Mail addressed to the following:

MICHELLE OLSHEFSKI, ESQUIRE
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CHRISTIAN T. HAUGSBY, ESQUIRE
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MR. ANDREW MICHAEL ROGERS

Date: September 18, 2024

/s/ *Ronald A. Krauss*

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